



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/970,631	11/14/97	BARR	WG-97-10

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EXAMINER  
MCLEHENY JR, D

ART UNIT  
2764

PAPER NUMBER  
211

DATE MAILED: 01/12/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
08/970,631

Applicant(s)  
Barr et al.

Examiner  
Donald McElheny, Jr.

Group Art Unit  
2764



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is FINAL.

☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire TWO month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-33 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 1-33 is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on Nov 14, 1997 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The abstract of the disclosure is objected to because it is too long. Correction is required. See MPEP § 608.01(b).
2. The drawings are objected to under 37 CFR 1.83 (a) and 1.84, and because they are informally submitted as declared by applicants.

Applicant is reminded that each and every claim element must be found in the drawings as required by 37 CFR 1.83(a), 1.84(h) & (j), and also the drawings and specification must describe, show and correspond for all components shown or discussed as required by 37 CFR 1.84(p). The drawings must show every feature of the invention specified in the claims, including all method and program related steps within some form of flowchart. For mathematical related algorithms see 37 CFR 1.84(d). If such apparent lack is merely a matter of applicants' using different language in the claims than that in the figures, then the intended correlation, basis and support for their equivalence must be shown where it exists within the figures and written disclosure.

Not all steps and recited operations features are found in the figures, nor are all of the various structural components found in any figure. For example, where is the recording structure?

Also note that figures exemplary of conventional or prior art must be so labeled.

If amendment of the figures is required then note no new matter is permitted to be added to the drawings.

Applicant is advised that when submitting a proposed drawing correction any proposal by applicant for amendment of the drawings to cure defects must consist of two parts:

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- a) A *separate* letter to the Draftsman in accordance with MPEP § 608.02(r); and
- b) A print or pen-and-ink sketch showing changes in *red ink* in accordance with MPEP § 608.02(v).

The filing of new formal drawings to correct the noted defect(s) may be deferred until the application is allowed by the examiner. However, any proposed drawing correction request for correction purposes must be submitted in response to this office action. Any corrections of the drawings for informalities and formal drawings should be submitted in response to this office action to expedite shortened prosecution and avoid delays. Correction is required.

3. The disclosure is objected to because of the following informalities: The inappropriate opinionated and presumptive statements found on page 16, lines 30, to page 17, line 4, must be deleted.

Appropriate correction is required.

4. Claims 1-33 stand allowed.


5. The prior art is cited of background interest only. It fails to teach or show a seismic method or system as claimed where the application occurs of a groundforce signal having a reference sweep signal of temporal duration and non-linear noise and the subsequent analysis thereof

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald McElheny, Jr., whose telephone number is (703) 305-3894.

Fax transmissions may be directed to (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.



**DONALD E. McELHENY, JR.**  
**PRIMARY EXAMINER.**